OPTIONAL FORM NO. 10
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UNITED STATES GOVERNMENT

# Memorandum

Tolson
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Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. A. H. Belmont

DATE: 2-5-64

FROM : Mr. W. C. Sullivan

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY - R - CUBA

In accordance with the Director's request, we have prepared the enclosed affidavit incorporating facts which clearly refute the allegation that Lee Harvey Oswald was an FBI informant and which also refute testimony given to the President's Commission by Mr. Henry M. Wade that (1) the FBI does not account for money paid to informants and (2) Wade, while serving in the FBI's Special Intelligence Service (SIS), was provided with funds to pay informants and was not held accountable for the money.

The affidavit is sound and constitutes an unequivocal refutation of the false allegations. The Director may desire to use this affidavit in connection with an appearance before the President's Commission.

RECOMMENDATION:

That the enclosed affidavit be forwarded to the Director. This affidavit should be dated when executed.

Enc.

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ENCLOSURE

1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. Callahan
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Branigan
1 - Mr. Baumgardner
1 - Mr. D.J.Brennan

ADDENDUM, 2/5/64 (AHB:csh) -
Please note this affidavit goes into detail as to Wade's activities in SIS. The purpose is to show that our records, even 20 years ago, show accountability for monies expended. I wonder, however, if we don't labor this too much, as it fills two pages of a 4-page affidavit. Also, we mention the country where Wade was assigned undercover, namely Ecuador. Possibly this will raise a fuss in Ecuador and South America. I suggest we eliminate the name of the country. (see page two)

CDB:skw:jdd
(8)

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SOVIET SECTION

Memorandum to Mr. Belmont, 2/5/64
Re: Lee Harvey Oswald, IS-R-Cuba

Addendum, continued:

In addition, this affidavit goes into detail, i.e., that headquarters must authorize the field to develop an informant; he is given a permanent symbol and code name; headquarters must authorize payments; and receipts and vouchers are submitted by the field to headquarters. In Federal Court trials against the Communist Party and individual communists, the defense has repeatedly made every possible attempt to explore our handling of informants and get its hands on our records, under the Jencks decision, etc. This public affidavit may provide the basis for the defense to demand further records, such as our vouchers or blue slips and all correspondence between the Bureau and our field offices dealing with the development and handling of an informant who is used as a witness.

I suggest we show this proposed affidavit to Assistant AG Yeagley to see whether it would provide a basis for the defense to demand and secure such Bureau records at a trial. If he thinks it will result in such action, it is suggested we rewrite this affidavit to make it as strong as possible and yet eliminate such particulars.

A. H. Belmont

I think affidavit is adequate & don't want to quibble with Commissioner re it & prepare it formalizing data in it & simply sign it & it should then be transmitted to Rankin referring to his conference with me.?

Done -- See memo Sullivan to Belmont 2/6/64 same caption CDB